

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MLEA, INC.,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 02-CV-4393
	:	
ATLANTIC RECYCLED RUBBER	:	
INC., et al.	:	
Defendants.	:	

**JOINDER OF DEFENDANT CASELLA WASTE SYSTEMS, INC.
IN CO-DEFENDANT ATLANTIC RECYCLED RUBBER, INC.'S MOTION FOR
SUMMARY JUDGMENT AGAINST PLAINTIFF MLEA, INC.**

Defendant Casella Waste Systems, Inc. ("Casella") hereby joins in the Motion of Defendant Atlantic Recycled Rubber, Inc. ("ARR") for Summary Judgment against Plaintiff MLEA, Inc., which was filed with the Court on February 10, 2004. Specifically, Casella adopts the legal position and arguments of ARR, as set forth in ARR's Motion for Summary Judgment and attached Memorandum of Law, that the second two ARR purchase orders that form the basis for Plaintiff's claims in this case were procured by fraud and therefore should be declared void *ab initio*, and that Plaintiff's claims for promissory estoppel and unjust enrichment must fail because the Plaintiff's claims arise from an express contract between the parties. For the reasons stated therein, as well as those set forth in Casella's Motion for Summary Judgment, Casella respectfully requests that summary judgment be entered in its favor on all counts of Plaintiff's Complaint.

Respectfully submitted,

Antoinette R. Stone, I.D. No. 23464
Brian J. McCormick, Jr., I.D. No. 81437
BUCHANAN INGERSOLL PC
1835 Market Street, 14th Floor
Philadelphia, PA 19103
(215) 665-8700
(215) 665-8760 (fax)

Attorneys for Defendant Casella Waste
Systems, Inc.

Dated: February 18, 2004

CERTIFICATE OF SERVICE

I, Brian J. McCormick, Jr., hereby certify that on February 18, 2004, I caused to be served a true and correct copy of the foregoing Joinder via first-class mail upon the following:

Philip J. Katauskas
Pepper Hamilton LLP
3000 Two Logan Square
18th & Arch Streets
Philadelphia, PA 19103-2799

John F. O'Riordan
Eckert Seamans Cherin & Mellott, LLC
1515 Market Street, Ninth Floor
Philadelphia, PA 19102

Brian J. McCormick, Jr.